



UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

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NOTICE OF AMENDMENTS TO OFFICIAL BANKRUPTCY FORMS EFFECTIVE
JANUARY 1, 2008 AND TO CIVIL COVER SHEET EFFECTIVE DECEMBER 1, 2007

No. 07-04

December 28, 2007

Official Form 1, Voluntary Petition (January 1, 2008) The amendments make the Official Form consistent with new Bankruptcy Rule 9037 by requiring that filers redact individual taxpayer identification numbers (ITINs) as well as social security numbers.

Official Form 22A, B, C (January 1, 2008) Amendments to Form 22A, B and C were delayed until January 1, 2008, to coincide with revised IRS standards for the expense deductions which are included in the calculation of Current Monthly Income. More specifically, the IRS amended the National Standards and Local Standards for Allowable Living Expenses and Other Necessary Expenses, which were effective on October 1, 2007, for tax administration, and will be effective on January 1, 2008, for bankruptcy purposes. Also, a number of questions on these forms have been revised to follow the statutory language in §§ 707(b) and 1325 of the Code as closely as possible.

Amendments to Form 22A include adding a checkbox for individual debtors who contend that their debts are not primarily consumer debts; specific instructions in question 4 if there is more than one business, profession, or farm; additional language in question 10 regarding alimony or separate maintenance payments paid by spouse; modifications to the language in questions 8, 26, 31 and 44; a requirement to specify the basis for excluding income in question 17, Marital Adjustment; splitting question 19 into 19A and 19B, with specific instructions in 19B regarding National Standards: health care; splitting question 22 into 22A and 22B, with specific instructions regarding transportation costs and additional public transportation expense; a new statement in question 34 regarding actual total average monthly expenditures relating to health insurance, disability insurance, and health savings account expenses; and a new column in question 42 regarding whether future payments on secured claims include taxes or insurance.

Amendments to Form 22B include specific instructions in question 3 if there is more than one business, profession, or farm; clarifying language in question 7; and additional language in question 9 regarding alimony or separate maintenance payments paid by spouse.

Amendments to Form 22C include a new statement in question 39 regarding actual total average monthly expenditures relating to health insurance, disability insurance, and health savings account expenses; expanded instructions in questions 45 and 49; a new column in question 47 regarding whether future payments on secured claims include taxes or insurance; new question 57 regarding Deduction for special circumstances; and former question 57 renumbered to 58.

Civil Cover Sheet (Form JS 44) (December 1, 2007) The amendments are a result of new Rule 5.2 of the Federal Rules of Civil Procedure, which requires that courts limit remote access to electronic files in immigration cases. The form has been amended to include three new nature of suit codes to identify immigration-related cases.

Use of the current version of the Official Bankruptcy forms and Director's Procedural Bankruptcy Forms is required.

Additional information regarding these amendments may be found at www.uscourts.gov/bankform. This notice is for informational purposes only. You should refer to the Interim Rules of Bankruptcy Procedures, Official Forms, and official comments for complete information and guidance.

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